

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EQUUS MINING LTD.,

Plaintiff,
-against-

21 CIVIL 11088 (KPF)

DEFAULT JUDGMENT

BLOX INC.,

Defendant.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated June 8, 2022, while Defendant chides Plaintiff for bringing the instant action, the record makes clear why Plaintiff felt it had no other option. Even after learning of the existence of the Litigations, Plaintiff was unable to obtain adequate information concerning the substance of the Litigations or any other proceedings in its name, nor was Plaintiff able to get Defendant to cease and desist its prosecution of the Litigations, nor was Plaintiff able to communicate its concerns to the Guinean Supreme Court without Defendant's interference. Only after the failure of these efforts did Plaintiff bring a lawsuit in the state of Defendant's principal place of business, where Plaintiff believed it would have a practical ability to enforce any judgment obtained. And in response, Defendant defaulted. For the reasons set forth above, the Court has GRANTED Plaintiff's motion for a default judgment and awards declaratory relief in the form of a declaration that Defendant lacks the capacity to sue in Plaintiff's name without the latter's knowledge and consent, and, further, that Defendant did not secure Plaintiff's knowledge and consent before filing the Litigations. The Court has further DENIED Defendant's motion for vacatur of the certificate of default; accordingly, the case is closed.

Dated: New York, New York

June 8, 2022

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk